

RECEIVED

FILED

JUN 28 1996

SKADDEN, ARPS, SLATE, MEAGHER & FLORES

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

1440 NEW YORK AVENUE, N.W.
WASHINGTON, D.C. 20005-2111
(202) 371-7000

FAX: (202) 393-5760
DIRECT DIAL
(202) 371-7000

BOSTON
CHICAGO
HOUSTON
LOS ANGELES
NEWARK
NEW YORK
SAN FRANCISCO
WILMINGTON

BEIJING
BRUSSELS
FRANKFURT
HONG KONG
LONDON
MOSCOW
PARIS
PRAGUE
SYDNEY
TOKYO
TORONTO

June 25, 1996

By Hand Delivery

The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
Washington, D.C.

Re: MM Docket No. ~~93-45~~
Policies and Rules Concerning
Children's Television Programming
Ex Parte Presentation

Dear Chairman Hundt:

New World Communications Group Incorporated ("New World"), through its subsidiaries a licensee of twelve commercial broadcast stations and a producer of television broadcast programming, presents the following suggestions with regard to the Commission's deliberations on its policies and rules concerning children's television programming.

New World is committed to serving the educational and informational needs of children in the markets in which it operates as well as throughout the nation through its network and syndicated programming offerings such as *Reality Check*, an innovative and creative series that was produced to meet the objectives of educating while entertaining. According to press reports, the Commission is now close to releasing a decision that will establish a license renewal "processing guideline" through which a television licensee will be assured of meeting its responsibilities to children by broadcasting three hours of "qualified" programming per week. Within this regulatory framework, New World believes that the following suggestions would make such processing guidelines effective and responsive to community needs.

1. The hours during which children's programming must be broadcast to meet the requirements of the Commission's new rules should be set at 6:00 a.m. to 11:00 p.m. The hour from 6:00 to 7:00 a.m. is especially important. At 7:00 most stations are beginning news programming and they would be

RECEIVED
JUN 28 1996

2

Ex Parte Presentation

by New World Communications Group Incorporated

June 25, 1996

Page 2

strongly disinclined to replace these important local or network morning news services. Thus, failure to credit programming broadcast prior to 7:00 a.m. may lead to a dearth of children's programming on commercial stations during these hours. Many children must leave home for day care or school during the 7:00 to 8:00 a.m. hour, reducing the effectiveness of long form programming during that time period. Children's programming in the prior hour, however, may become an important feature for many young viewers. At this hour many children are awake, having breakfast, and otherwise preparing for daily activities. Furthermore, studies have demonstrated that there are significant numbers of children in television audiences by 6:00 a.m., which is why the "safe harbor" for indecent programming ends at that time.

2. The Commission should not require that qualified children's programming be labeled as "educational programming for children" on the air. Such terminology could mean the kiss of death for new programs intended to educate and inform children, especially older children. Broadcasters can communicate the educational and informational content of such programming to interested parents through other means, such as listings in print media
3. If a broadcaster does not broadcast three hours of qualified children's programming per week on its own facilities, the following activities should be considered in determining that such broadcaster has nonetheless met its responsibilities in providing for the needs of children in its community:
 - a. The purchase or production of educational and informational programming that is broadcast on another station in the market.
 - b. The broadcast of qualified programming on another station in the market which is operated by such broadcaster pursuant to a time brokerage agreement or "LMA."
 - c. The underwriting of qualified children's programming on a public television station in such broadcaster's market.

Ex Parte Presentation

by New World Communications Group Incorporated

June 25, 1996

Page 3

- d. The presentation of qualified programming on a low-power television station or cable channel that reaches all or substantially all viewers within a market
- e. The sponsorship and organization of a "Kids Club" or similar project which provides, on a regular basis, educational and informational activities in such broadcaster's community in cooperation with schools and other community organizations when such project is supported through regularly scheduled broadcast announcements or interstitial segments on such broadcaster's station.
- f. The broadcast of interstitial programming and announcements intended to educate and inform children.

New World believes that these suggestions will provide broadcasters with the flexibility to provide high quality programming for children without placing undue strain upon their other obligations and activities. New World remains available to discuss these issues with Commission staff upon request.

Sincerely,



Antoinette Cook Bush

Counsel for

New World Communications Group Incorporated

cc: Commissioner James H. Quello
Commissioner Rachelle B. Chong
Commissioner Susan Ness
Roy J. Stewart, Chief, Mass Media Bureau ✓
William E. Kennard, General Counsel
William F. Caton, Acting Secretary
(two copies for public record)